APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,937	10/31/2003	Guy de Warrenne Bruce Adams	1509-471	8950

7590   04/11/2008

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
HERBST, RACHEL M

ART UNIT	PAPER NUMBER
2174	

MAIL DATE	DELIVERY MODE
04/11/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)	
Office Action Summary		10/697,937	ADAMS, GUY DE WARRENNE BRUCE	
		Examiner	Art Unit	
		R. M. Herbst	4121	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>20 December 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-34</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>31 October 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Detailed Action

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment and Arguments

Claims 1, 4 - 20, 24, 27, 31-32 have been amended.

Claim 21 has been cancelled.

Claim 34 has been added.

Claims 1-34 are now pending.

2.   Applicant's amendment filed December 20, 2007 has overcome rejection 35 USC 112, second paragraph of claim 16.

3.   Applicant's title overcome's objection.

4. Applicant's arguments filed December 20, 2007 have been fully considered but they are not persuasive.

        i.) Applicant amended independent claims directed now to customization of an interface device to a storage medium. Applicant argues this is a contrast to the technique disclosed in WO 02/07122 relating to a remote customized to devices such

as TVs or DVD players. This argument is not persuasive as there is no explicitly defined distinction between the various storage media.

ii.) Applicant argues with respect to claim 25, virtual symbols are not readable on the claimed symbols which are permanent and printed on the interface device. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Escobosa as applied to claim 24 and further in view of Allport. Applicant's argument is not persuasive as Allport is used as a supplementary reference to teach at least some of the symbols are text or graphical representations of the content of respective *said audio tracks* (Allport, col. 26, par 1 where the track data from a respective record is downloaded into the remote and the corresponding symbols are in both text and graphical see display of the remote. Fig 9). The motivation to combine the two references is to allow the user to choose which audio track to play based on its title. (Allport col. 25 par4).

iii.) Applicant argues with respect to claims 26-27, the remote control of (WO 02/07122) is bulky and not the type that can be printed on. This argument is not persuasive as 'bulky' is undefined, the two references do not cancel each other, in fact, Herbst's technique of printing directly to an interface device used in Escobosa's method of customizing an interface device would have been economically beneficial (Herbst, par. 5).

   Accordingly, THIS ACTION IS MADE FINAL. See MPEP 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-11, 14- 24 and 28-33 35 are rejected under U.S.C. 103(a) as being
unpatentable over by Escobosa ("Escobosa", WO 0207122)

As per claim 1, Escobosa teaches Apparatus for <u>customizing a</u> user interface

<u>device to a storage medium having records stored thereon</u>, the user interface <u>device</u>

having user input region<u>s</u> identified by <u>respective symbols</u>, and operatively associated

with the respective input region<u>s</u>, respective computer instructions for generating

command signals for <u>selecting respective said records by</u> controlling at least one

respective function of a remote target device, said apparatus being arranged to

(Escobosa, page 3, lines 23-29, i.e. customizable remote control its with programmable

functions and corresponding keys and Escobosa discloses page4, lines 4- 13, a

customized consumer electronic device wherein a user selects among a plurality of

functions performable by the consumer electronic device, and creates a virtual

configuration for the device Where the plurality of functions performable by the

consumer electronic device includes a DVD player. Furthermore figs 11 and 14 disclose

functionality associated with selecting a record):

receive control function selection, information relating to at least one said function for

inclusion in the interface device; (Escobosa discloses page4, lines 4- 13, a customized

consumer electronic device wherein a user selects among a plurality of functions

performable by the consumer electronic device, and creates a virtual configuration for

the device).

in accordance with the control function selection information, access from a location

remote from the interface device computer instructions corresponding to a selected said

at least one function, <u>including respective said computer instructions for generating</u>

<u>command signals for selecting respective said records</u> (page 4, lines 4-13, wherein the

functions include control functions for controlling another consumer electronic device,

see also page 4, lines 14-21 Where the plurality of functions performable by the

consumer electronic device includes a DVD player or an interactive TV. Furthermore

figs 11, 14, and 16 disclose functionality associated with selecting a record);

receive layout selection information relating to a layout of the user interface

device(Escobosa discloses in Page 7 line 26 through- page 8 line 20, where the

table of functions presented to the user comprises a subset of all possible

available functions displayed to the user as a selectable representation of the key

layout is interpreted to mean layout selection).

Escobosa does not explicitly teach the following within the same embodiment applied

above: <u>based on contents of respective said records</u>, generate symbol<u>s</u> for identifying

<u>respective said records</u> <u>selectable by</u> respective <u>said</u> user input regions. However

Escobosa does teach this in a different embodiment (page 15 lines 15-25 a user

downloads a logo/icon for display on the remote, together with a numeric code to be

transmitted to the interactive TV when that icon is touched. Fig. 16 shows an example

icon labeled "Desert Antics" this is interpreted to mean based on contents of respective said records, generate symbols for identifying respective said records selectable by respective said user input regions).

Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to provide symbols identifying records, both disclosed by Escobosa. The motivation would have been to facilitate a user being able to tune to a particular program or application using a remote (Escobosa page 14 line 30-page 15 line 3) and in accordance with the layout selection information, (a) produce an association file associating said computer instructions with respective said user input regions, (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote this is interpreted to mean an file with associations is downloaded) and (b) initiate printing of the symbols. (Escobosa discloses in Page 8, lines 11-24 a label set may be printed following configuration).

As per claim 2, Escobosa teaches an apparatus as claimed in claim 1, wherein the at least one said function is selected from the following operating functions:
play, move forward, move back, stop, pause, volume, on/off, change channel, select specific track or other record on a specific storage medium, zoom, rotate, slide show mode, edit red-eye, and further edit image functions. (Escobosa, fig 5b shows a list of functions including channel changing and other edit image functions like sharp, hue, bright, color, etc.)

As per claim 3, Escobosa teaches an apparatus as claimed in claim 1, wherein the at
least one function includes at least one of: selecting a said target device and initiating
communication with a said target device. (Escobosa discloses this in page 10 line 24-
page 11 line 18 where the code is first downloaded into the remote to allow the user to
determine via experimentation if it is applicable is interpreted to mean an initiation of
communication with target device)

As per claim 4, Escobosa teaches an apparatus as claimed in claim 1, comprising a
customization interface arranged to display the symbols in the selected layout to be
printed (Escobosa discloses this in fig 1, items 60, 64 showing a display with the
customization interface and items 115,114 shows a customization interface arranged to
display the symbols in the selected layout to be printed).

As per claim 5, Escobosa teaches an apparatus as claimed in claim 1, comprising a
customization interface for enabling an operator to perform at least one of the following
operations: identify a said function corresponding to computer instructions; select said
computer instructions for inclusion on the interface device; select a configuration of
each of the symbols; and control an arrangement of the symbols in a desired relative
disposition. (Escobosa discloses this in fig 5b where the figure demonstrates for
enabling an operator to perform at least one of the following operations: identify a said
function corresponding to computer instructions; select said computer instructions for
inclusion on the interface device; select a configuration of each of the symbols; and

control an arrangement of the symbols in a desired relative disposition).

As per claim 6, Escobosa teaches an apparatus as claimed in claim 1, arranged to cause the association file and the selected computer instructions to be transmitted for storage on said interface device. (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote this is interpreted to mean arranged to cause the association file and the selected computer instructions to be transmitted for storage on said interface device)

As per claim 7, Escobosa teaches an apparatus as claimed in claim 1,wherein at least one <u>of</u> said user input region<u>s</u> in the selected layout corresponds to a plurality of user input sub-regions. (Escobosa discloses a user input region in the selected layout corresponds to a plurality of user input sub-regions in fig 5b)

As per claim 8, Escobosa teaches an apparatus as claimed in claim 1, including printer apparatus operable to print the symbol<u>s</u> directly onto a said interface device (Escobosa discloses this in fig 1 item 115 depicting the apparatus including a printer apparatus).

As per claim 9, Escobosa teaches an apparatus as claimed in claim 1, including at least one of the remote computer instructions stored thereon. (Escobosa discloses this in Page 3 lines 14-22 where a database including a plurality of functions for a consumer

electronic device is provided).

As per claim 10, Escobosa teaches an apparatus as claimed in claim 9, wherein the remote computer instructions stored on said apparatus <u>are</u> accompanied by information for generating a respective predetermined symbol relating to an associated control function. (Escobosa discloses this in Page 3 lines 23-29 a plurality of Customized labels or in some embodiments, customizable labels corresponding to the plurality of configurable keys are included).

As per claim 11, Escobosa teaches an apparatus as claimed in claim 9, wherein at least one <u>of the</u> computer instructions is for generating command signals for causing a remote device to access remotely stored information that a producer of the interface device wishes a user of the interface device to access. (Escobosa discloses this in Page 4 lines 4-14 where the plurality of functions performable by the consumer electronic device includes a DVD player).

As per claims 14 and 22, Escobosa teaches both a memory and a Computer apparatus loaded with the memory storing a computer program for use in producing a user interface device <u>customized to a storage medium having records stored thereon</u>, <u>the user interface device </u>having user input region<u>s</u> identified by <u>respective symbols, and</u> <u>operatively</u> associated with the respective input region<u>s</u>, respective computer

instructions for use in controlling a remote target device, said computer program

comprising computer executable instructions for causing computer apparatus to: create

an association file linking (i) selected computer instructions, including respective

computer instructions for generating command signals for selecting respective said

records, obtained from a location remote from the interface device, with (ii) at least one

said user input region; (Escobosa discloses in page 4, lines 4-13, wherein the functions

include control functions for controlling another consumer electronic device, see also

page 4, lines 14-21 Where the plurality of functions performable by the consumer

electronic device includes a DVD player or an interactive TV. Furthermore figs 11, 14,

and 16 disclose functionality associated with selecting a record. Page 8, lines 3-24

when completed the computer then downloads the user's custom configuration into the

remote this is interpreted to mean a file including instructions and associations is

generated on the computer and then downloaded to the device). Escobosa does not

explicitly teach the following within the same embodiment applied above: based on

contents of respective said records, generate a symbol symbolizing the records

selectable by the computer instructions; However Escobosa does teach this in a

different embodiment (Escobosa discloses this page 15 lines 15-25 a user downloads a

logo/icon for display on the remote, together with a numeric code to be transmitted to

the interactive TV when that icon is touched. Fig. 16 shows an example icon labeled

"Desert Antics" this is interpreted to mean based on contents of respective said records,

generate a symbol symbolizing the records selectable by the computer instructions);

Therefore it would have been obvious to one of ordinary skill in the art at the time of

invention to provide symbols identifying records, both disclosed by Escobosa. The
motivation would have been to facilitate a user being able to tune to a particular
program or application using a remote (Escobosa page 14 line 30-page 15 line 3).
and generate a <u>customization</u> interface arranged to display the symbols in an
arrangement for printing onto the interface device, wherein each symbol is disposed so
as to correspond with at least one said user input region. (Escobosa discloses this in fig
5b where the figure demonstrates an operator being able to identify and select a
function corresponding to a set of computer instructions, selecting at least one set of
instructions for inclusion on the interface device, selecting the configuration of the
symbol and controlling the arrangement of each symbol).

As per claim 15, Escobosa teaches a memory as claimed in claim 14, wherein the
computer instructions <u>are adapted</u> to generate command signals for controlling at least
one respective operating function of <u>the remote target</u> device, said operating function
being selected from the following: play, move forward, move back, stop, pause, volume,
on/off, change channel, select specific track or other record on a specific storage
medium, zoom, rotate, slide show mode, edit red-eye, and further edit image functions.
(Escobosa, fig 5b shows a list of computer instructions including functions for channel
changing and other edit image functions like sharp, hue, bright, color, etc.)

As per claim 16, Escobosa teaches a computer program memory as claimed in claim
14, wherein the computer instructions <u>are adapted</u> to generate command signals for

selecting a said target device and/or initiating communication with a said target device.
(Escobosa discloses this in page 10 line 24- page 11 line 18 where the code is first
downloaded into the remote to allow the .user to determine via experimentation if it is
applicable is interpreted to mean an initiation of communication with target device)

As per claim 17, Escobosa teaches a memory as claimed in claim 14, wherein at least
one said symbol is disposed so as to correspond with a plurality of mutually adjacent
said user input regions, so as to indicate a larger user input region comprising said
plurality of mutually adjacent said user input regions. (Escobosa, fig. 11 and fig. 14, item
128 shows wherein at least one said symbol is disposed so as to correspond with a
plurality of mutually adjacent said user input regions, so as to indicate a larger user
input region comprising said plurality of mutually adjacent said user input regions.)

As per claim 18, Escobosa teaches a memory as claimed in claim 14, wherein said
computer executable instructions are adapted for causing the computer apparatus to
generate a customization interface enabling an operator to perform at least one of the
following operations: identify a control function corresponding to respective said
computer instructions; (Escobosa discloses in Page 4, lines 4-13, the user selectable
set of functions include control functions for controlling another consumer electronic
device), select computer instructions for inclusion on the interface device; select a
configuration of the symbols; and control an arrangement of the symbols in a desired

relative disposition.(Escobosa discloses this in fig 5b where the user controls an arrangement or one or more symbols)

As per claim 19, Escobosa teaches a memory as claimed in claim 14, wherein said computer executable instructions are adapted for causing <u>the</u> computer apparatus to cause transmission of the association file and the selected computer instructions for storage on said interface device. (Escobosa discloses in Page 8, lines 3-24 when completed the computer then downloads the user's custom configuration into the remote)

As per claim 20, Escobosa teaches a computer program memory as claimed in claim 14, wherein said computer executable instructions are adapted for causing computer apparatus to initiate printing of the symbol<u>s</u> in a predetermined arrangement, for marking said user input regions. (Escobosa discloses in Page 8, lines 11-24 a label set may be printed following configuration).

As per claim 23, Escobosa teaches a computer apparatus as claimed in claim 22, wherein the computer apparatus comprises a printer apparatus or a personal computer. (Escobosa discloses this in fig 1 item 115 depicting the apparatus including a printer apparatus).

As per claim 24, Escobosa teaches an interface device, <u>customized</u> for use in controlling a selected target device to access records stored on a storage medium, the <u>interface device</u> comprising: a plurality of switches; a plurality of corresponding switch actuating regions; permanent symbols, corresponding to <u>the</u> target device<u>'s</u> control functions respectively printed relative to said actuating regions; a controller for controlling the interface; a path arrangement operably connecting the switch<u>es</u> with said controller; and transceiver apparatus for <u>wireless</u> communication with said target device, <u>wherein</u> said symbols identify a desired switch actuating region for generating and transmitting a command signal to the target device for accessing a selected record on said <u>storage medium</u> (Escobosa discloses this in Page 4 lines 4-14 where the plurality of functions performable by the consumer electronic device includes a DVD player or an interactive TV. Furthermore figs 11, 14, and 16 disclose functionality associated with selecting a record), the arrangement of the symbols having <u>been customized specifically to said storage medium</u> (Escobosa discloses this in fig 5b where the figure demonstrates an operator being able to identify and select a function corresponding to a set of computer instructions, selecting at least one set of instructions for inclusion on the interface device, selecting the configuration of the symbol and controlling the arrangement of each symbol.) Escobosa does not explicitly teach the following within the same embodiment applied above: <u>and based on contents of respective said records.</u> However, Escobosa does teach this in a different embodiment (Furthermore page 15 lines 15-25 a user downloads a logo/icon for display on the remote, together with a numeric code to be transmitted to the interactive TV when that

icon is touched. Fig. 16 shows an example icon labeled "Desert Antics" this is interpreted to mean the arrangement of the symbols having been customized specifically to said storage medium and based on contents of respective said records). Therefore it would have been obvious to one of ordinary skill in the art at the time of invention to provide symbols identifying records, both disclosed by Escobosa. The motivation would have been to facilitate a user being able to tune to a particular program or application using a remote (Escobosa page 14 line 30-page 15 line 3).

As per 28, Escobosa teaches a method of producing an interface device using an apparatus as claimed in claim 1, the method comprising feeding into printer apparatus an overlay sheet having a printable surface portion, so as to print said symbols in a predetermined arrangement onto said surface portion. (Escobosa shows this in fig 1, items 60, 64 showing a display with the customization interface and items 115,114 showing the labels are printed for the interface device).

As per claim 29, Escobosa teaches a method as claimed in claim 28, further comprising aligning the overlay in predetermined positional relationship with a blank interface device. (Escobosa, fig 8 shows aligning the overlay in a predetermined positional relationship.)

As per claim 30, Escobosa teaches an overlay made using a method as claimed in claim 28. (Escobosa, Page 8, lines 11-24 where the user may print a label set to be

installed on the remote or obtain a pad printed Mylar overlay).

As per claim 3 l, Escobosa teaches a method of <u>customizing a</u> user interface <u>device to</u>
<u>a storage medium having records stored thereon,</u> the user interface <u>device</u> having user
input regions identified by <u>respective symbols, and</u> operatively associated with the
respective input regio<u>n</u>s, respective computer instructions for generating command
signals for <u>selecting respective said records by</u> controlling at least one respective
function of a remote target device, the method comprising: receiving control function
selection information relating to at least one said function for inclusion in the interface
device; (Escobosa discloses in Page 4, lines 4-13, the user is allowed to select among a
plurality of functions performable by the consumer electronic device see also page 4,
lines 14-21 Where the plurality of functions performable by the consumer electronic
device includes a DVD player or an interactive TV. Furthermore figs 11, 14, and 16
disclose functionality associated with selecting a record)
in accordance with the control function selection information, accessing from a location
remote from the interface device computer instructions corresponding to a selected said
at least one function, <u>including respective said computer instructions for generating</u>
<u>command signals for selecting respective said records;</u> (Escobosa discloses in Page 4,
lines 4-13, the functions include control functions for controlling another Consumer
electronic device. See also page 4, lines 14-21 where the plurality of functions
performable by the consumer electronic device includes a DVD player or an interactive

TV. Furthermore figs 11, 14, and 16 disclose functionality associated with selecting a

record).

receiving layout selection information relating to a layout of the user interface

device; (Escobosa discloses in Page 7 line 26 through- page 8 line 20, where the

table of functions presented to the user comprises a subset of all possible

available functions displayed to the user as a selectable representation of the key

layout is interpreted to mean layout selection).

Escobosa does not explicitly teach the following within the same embodiment applied

above: based on the contents of respective said records, generating symbols for

identifying respective said records selectable by respective said user input regions;

However, Escobosa does teach this in a different embodiment: (Escobosa

discloses in fig 5b, page 8, lines 3-24 and page14 lines 19-29 the user may

configure the shapes, sizes and layouts from a dynamically selectable list of

browsable layouts and print a label set to be installed on the remote as well page 15

lines 15-25 a user downloads a logo/icon for display on the remote, together with a

numeric code to be transmitted to the interactive TV when that icon is touched. Fig. 16

shows an example icon labeled "Desert Antics"). Therefore it would have been obvious

to one of ordinary skill in the art at the time of invention to provide symbols identifying

records, both disclosed by Escobosa. The motivation would have been to facilitate a

user being able to tune to a particular program or application using a remote (Escobosa

page 14 line 30-page 15 line 3).

And in accordance with the layout selection information, (i) producing an association

file associating said computer instructions with respective said user input regions,

(Escobosa discloses in Page 8, lines 3-24

when completed the computer then downloads the user's custom configuration

into the remote this is interpreted to mean an file with associations is

downloaded) and (ii) initiating printing of the symbols. (Escobosa

discloses in Page 8, lines 11-24 a label set may be printed following

configuration).

As per claim 32, Escobosa teaches a method of <u>customizing</u> a user interface device <u>to

a storage medium having records stored thereon, the interface device</u> having user input

regions arranged for causing respective computer instructions to be processed on the

interface device so as to generate respective command signals for <u>selecting respective

said records by</u> controlling a remote device; the method comprising; enabling an

operator to identify and select desired computer instructions corresponding to desired

control functions for controlling <u>the</u> remote device <u>including respective said computer

instructions for generating command signals for selecting respective said records;</u>

(Escobosa discloses in Page 4, lines 4-13, the user selectable set of functions include

control functions for controlling another consumer electronic device, see also page 4,

lines 14-21 Where the plurality of functions performable by the consumer electronic

device includes a DVD player or an interactive TV. Furthermore figs 11, 14, and 16

disclose functionality associated with selecting a record). causing the selected computer

instructions to be transmitted to the user interface device for storage thereon;
(Escobosa discloses in Page 8, lines 3-24 when completed the computer then
downloads the user's custom configuration into the remote) receiving information
relating to a disposition of the user input regions on the user interface device; and
(Escobosa, fig 5b shows a user selecting the arrangement of a user input region on the
user interface device, and in Page 8, lines 3-24 when completed the computer then
downloads the user's custom configuration into the remote) printing onto a surface of
the user interface device, (Escobosa discloses this in fig 1, items 60, 64 showing a
display with the customization interface and items 115,114 showing the labels are
printed for the interface device wherein the labels are interpreted to be a surface of the
interface device) in alignment with respective ones of said user input regions of the user
interface device (fig. 8 shows the labels are printed in alignment), symbols respectively
corresponding to the selected computer instructions, Escobosa does not explicitly teach
the following within the same embodiment applied above: including symbols that are
based on contents of respective said records and identify respective said records
selectable by respective said user input regions. However, Escobosa does teach this in
a different embodiment (fig. 5b and 8 item 108 shows the symbols the symbols
correspond to the selected set of computer instructions and furthermore page 15 lines
15-25 a user downloads a logo/icon for display on the remote, together with a numeric
code to be transmitted to the interactive TV when that icon is touched. Fig. 16 shows an
example icon labeled "Desert Antics"). Therefore it would have been obvious to one of
ordinary skill in the art at the time of invention to provide symbols identifying records,

both disclosed by Escobosa. The motivation would have been to facilitate a user being

able to tune to a particular program or application using a remote (Escobosa page 14

line 30-page 15 line 3).

As per claim 33, Escobosa teaches a method as claimed in claim 32, wherein the

relative dispositions and sizes of the symbols are dynamically selectable (Escobosa

discloses in the Page14 lines 19-29 the shapes, sizes and layouts are dynamically

selectable from a list of browsable layouts) at least one of the user input regions being

dynamically arranged from a plurality of smaller user input regions.(Escobosa discloses

this in fig. 5b where a portion of the user input region of the remote interface is

dynamically configured from the selectable plurality of smaller buttons of the provided

by the table on the right)

5.) Claim 25, is rejected under 35 U.S.C. 103(a) as being unpatentable over

Escobosa as applied to claim 24 above and further in view of Allport("Allport",

US6882299)

As per claim 25, Escobosa teaches an interface device as claimed in claim 24 herein

said storage medium comprises an optical storage device, said target device comprises

an optical storage device reader at least some of said control functions relate to

selection of respective records (Escobosa discloses this in Page 4 lines 4-14 where the

plurality of functions performable by the consumer electronic device includes a DVD
player, He also teaches this in fig. 15 where the items 126 and 128 disclose the
capabilities of a remote for an audio player). He does teach the records are in the form
of audio tracks stored on said optical storage device (Escobosa fig. 15 items 126, 128
have configurable buttons for accessing audio tracks). He does not explicitly teach at
least some of the symbols are text or graphical representations of the content of
respective said audio tracks. However Allport does teach this (Allport, col. 26, par 1
where the track data from a respective record is downloaded into the remote and the
corresponding symbols are in both text and graphical see display of the remote. Fig 9).
Therefore, at the time of the invention, it would have been obvious to a person of
ordinary skill in the art to apply Allport's method which encompasses functions related
to selection audio tracks with Escobosa's method. The motivation would have been to
allow the user to choose which audio track to play based on its title. (Allport col. 25
par4)

7.) Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over
Escobosa and Allport as applied to claim 25 above, and further in view of Redford
("Redford", US 5757304)

As per claim 34, Escobosa as modified teaches an interface device as claimed in claim
25. Escobosa does not teach explicitly wherein said interface device is a flexible printed
circuit board that has a printable surface portion formed integrally therewith, said

symbols are permanently and directly printed onto said surface portion, and said flexible

printed circuit board contains thereon said switches, said controller, said path

arrangement, and said transceiver apparatus. However, Redford does teach this

(Redford, col. 1 par 5, col. 3 par. 3-5, col. 5 par. 6, and fig. 2B a remote control for

controlling a host device such as a television or a personal computer includes a

substrate having a circuit, printed content located adjacent to the circuit, fig. 2B printed

content can be printed in all touch areas, an integrated circuit die supported by the

substrate and connected to the conductive ink circuit, a signal transmitter, a thin battery.

The microcontroller can be 20 mils thick and connected to the switches. The remote

control can be substantially flexible if the substrate is formed of a conventional paper

sheet is interpreted to mean wherein said interface device is a flexible printed circuit

board that has a printable surface portion formed integrally therewith, said symbols are

permanently and directly printed onto said surface portion, and said flexible printed

circuit board contains thereon said switches, said controller, said path arrangement, and

said transceiver apparatus). Therefore, at the time of the invention, it would have been

obvious to a person of ordinary skill in the art to use Redford's thin printable flexible

assembly with Escobosa's as modified. The motivation would have been to simply touch

printed content and view associated information on a television or personal computer in

a simple intuitive manner whereby the remote control may be recycled in a manner

similar to the recycling of conventional paper products (Redford col. 2 pars. 1-3).

8.) Claims 12, 13, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Escobosa as applied to claim 1 above, and further in view of Herbst("Herbst",

DE19905561)

As per claim 12, Escobosa teaches a method of producing an interface device,

comprising using the apparatus as of claim 1. Escobosa does not explicitly teach to print

said symbols onto an interface device blank. However, Herbst does teach this (Herbst,

par. 1 discloses a method to print directly on plastic smart cards containing an electronic

module where this smart card is interpreted to be an interface device). Therefore, at the

time of the invention, it would have been obvious to a person of ordinary skill in the art

to use Herbst's method of printing directly to a smart card in Escobosa's method. The

motivation would have been economically beneficial to be able to print directly on a

completed smart card apparatus. (Herbst, par. 5).

As per claim 13, Escobosa teaches a method of producing a <u>customized</u> interface

device for use with a predetermined storage medium having predetermined contents

stored thereon in the form of records, (Escobosa discloses this in Page 4 lines 4-14

where the plurality of functions performable by the consumer electronic device includes

a DVD player) the method comprising inputting to an apparatus as claimed in claim 1

computer instructions for generating a command signal for selecting a respective one of

said records, the computer instructions respectively including information for enabling

said apparatus to generate a predetermined symbol relating to <u>the respective</u> said

record, (Escobosa Page 3 lines 23- 29 a plurality of customized labels or in some embodiments, customizable labels corresponding to the plurality of configurable keys are included which is interpreted along with common knowledge at the time of this invention a control set of a DVD player contains track selection buttons), Escobosa does not explicitly teach and printing directly said symbol onto an interface device blank to obtain the customized interface. However, Herbst does teach this (Herbst, par. 1 discloses a method to print directly on plastic smart cards containing an electronic module where this smart card is interpreted to be an interface device). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Herbst's method of printing directly to a smart card in Escobosa's method. The motivation would have been economically beneficial to be able to print directly on a completed smart card apparatus. (Herbst, par. 5).

As per claim 26, Escobosa teaches a method of producing an interface device using an apparatus as claimed in claim 1. Escobosa also teaches the printing of symbols in a predetermined arrangement onto said surface portion. Escobosa does not teach the method comprising feeding into printer apparatus a blank interface device having a printable surface portion formed integrally therewith. Herbst does teach this (Herbst, par. 1 discloses a method to print directly on plastic smart cards containing an electronic module where this smart card is interpreted to be an interface device).

Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Herbst's method of printing directly to a smart card in

Escobosa's method. The motivation would have been economically beneficial to be able

to print directly on a completed smart card apparatus. (Herbst, par. 5).

9.) Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Escobosa and Herbst as applied to claim 27 above, and further in view of Redford

("Redford", US 5757304)

As per claim 27, Escobosa as modified teaches a method as claimed in claim 26.

Escobosa as modified does not specifically teach the blank interface device is <u>a</u> flexible

<u>printed circuit board containing thereon a plurality of switches defining said user input</u>

<u>regions; a controller for controlling the interface; a path arrangement operably</u>

<u>connecting the switches with said controller; and transceiver apparatus for wireless</u>

<u>communication with said remote target device.</u> However, Redford does teach this

(Redford, col. 1 par 5, col. 3 par. 3-5, col. 5 par. 6, and fig. 2B a remote control for

controlling a host device such as a television or a personal computer includes a

substrate having a circuit, printed content located adjacent to the circuit, fig. 2B printed

content can be printed in all touch areas, an integrated circuit die supported by the

substrate and connected to the conductive ink circuit, a signal transmitter, a thin battery.

The microcontroller can be 20 mils thick and connected to the switches. The remote

control can be substantially flexible if the substrate is formed of a conventional paper

sheet is interpreted to mean <u>a</u> flexible printed circuit board containing thereon a plurality

of switches defining said user input regions; a controller for controlling the interface; a

path arrangement operably connecting the switches with said controller; and transceiver

apparatus for wireless communication with said remote target device). Therefore, at the time of the invention, it would have been obvious to a person of ordinary skill in the art to use Redford's thin printable flexible assembly with Escobosa's as modified. The motivation would have been to simply touch printed content and view associated information on a television or personal computer in a simple intuitive manner whereby the remote control may be recycled in a manner similar to the recycling of conventional paper products (Redford col. 2 pars. 1-3)

9. Applicant's arguments with respect to the pending claims as amended in the 20 December 2007 response have been fully considered but they are not persuasive.

Action is Final

10.   **THIS ACTION IS FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. M. Herbst whose telephone number is (571)270-5132. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571)272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

rmh

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174